

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12247 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- KHANPURA District- Samastipur

AWAKASH MAHTO S/o- Umesh Mahto R/o Village- Masina, P.S.- Khanpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 34.515 liters of foreign liquor has been recovered from behind the semi built house of the petitioner. It is lastly submitted that the petitioner has got one criminal antecedent of similar nature.

Petitioner is agree to deposit a sum of Rs. 50,000/- (rupees fifty thousand) in Patna High Court Legal Services



Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-1, Samastipur in connection with Khanpur P.S. Case No.243 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of the aforesaid amount deposited in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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